

Notice of Allowability	Application No.	Applicant(s)	
	09/867,631	MORRIS-YATES, TIMOTHY MARK	
	Examiner Kieu D. Vu	Art Unit 2173	

-- **The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. This communication is responsive to The Amendment of claims filed 02/09/06 and the Remarks filed 10/26/05.
2. The allowed claim(s) is/are 89-108 and 111-115 (renumbered as 1-25).
3. Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some* c) None of the:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) hereto or 2) to Paper No./Mail Date _____.
 - (b) including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. Notice of References Cited (PTO-892)
2. Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. Notice of Informal Patent Application (PTO-152)
6. Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. Examiner's Amendment/Comment
8. Examiner's Statement of Reasons for Allowance
9. Other _____.

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.
2. Authorization for this examiner's amendment was given in a telephone interview with Applicant's Attorney Leonard Diana (Reg. No. 29,296) on 04/20/06.
3. The claims have been amended as follows:

Claim 103: line 2, replace "step of" with "code for"

Claim 104: line 3, replace "fo" with "of"

Claim 108: An apparatus for providing active user feedback in a graphic user interface including an adjustable soft control able to change an attribute of an object over a continuous range of attribute values, said apparatus comprising:

 a screen counter detection controller for controlling detecting positioning of a pointing device over the soft control, said positioning designating the soft control;

 a window display controller for controlling displaying a window upon designation of the soft control;

 an object representation display controller for controlling displaying a representation of the object in the window; and

 a display animation controller for controlling animating the displayed representation of the object to mimic an effect on the attribute of a nominal adjustment of the soft control, said animation being presented in the window as a training preview

exemplifying the nature of change in said attribute that can be expected to arise from adjustment of the soft control.

Claim 112: line 4, delete "actual"

Claim 114: line 4, delete "actual"

Claim 115: An apparatus according to claim 108, further comprising:

a designating release controller for controlling releasing the designation of the soft control; and

an object display controller for controlling changing a display of the object in a display area of the graphical user interface in response to the releasing of the soft control.

Allowable Subject Matter

4. Claims 89-108 and 111-115 are allowed.

5. The following is an examiner's statement of reasons for allowance:

The Examiner has carefully considered the independent claims 89, 98, and 108.

The prior art of record does not teach "animating the displayed representation of the object to mimic an effect on the attribute of a nominal adjustment of the soft control, said animation being in the window as training preview exemplifying the nature of change in said attribute that can be expected to arise from adjustment of the soft control" in specific combinations as recited in claims 89, 98, and 108.

The dependent claims of the independent claims 89, 98, and 108 are allowed for the same reason cited above.

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6 Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kieu D. Vu. The examiner can normally be reached on Mon - Thu from 7:00AM to 3:00PM at 571-272-4057.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca, can be reached at 571-272-4048.

The fax phone numbers for the organization where this application or proceeding is assigned are as follows:

571-273-8300

and / or:

571-273-4057 (use this FAX #, only after approval by Examiner, for "INFORMAL" or "DRAFT" communication. Examiners may request that a formal paper / amendment be faxed directly to them on occasions).

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



KIEU D. VU
PRIMARY EXAMINER